

1 [Counsel Listed on Signature Pages]

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FILED
SEP 24 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)

This Document Relates To:

ALL ACTIONS

STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING DEADLINES
FOR DEPOSITION DESIGNATIONS
AND EXHIBIT LISTS

AS MODIFIED

1 WHEREAS, the trial of this action is scheduled for October 22, 2007;

2 WHEREAS, the final pretrial conference is scheduled for October 9, at 2:00 p.m.;

3 WHEREAS, Paragraph 3 of the Court's Order for Pretrial Preparation required that
4 counsel exchange the material described in Northern District Civil Local Rule 16-10(b)(7), (8),
5 (9) and (10), including the parties' deposition designations and exhibit lists;

6 WHEREAS, the August 24, 2007 Order Granting as Modified Stipulation Regarding Trial
7 Date, Pretrial Conference, and Pretrial Submissions and Deadlines provided in relevant part that
8 the parties exchange certain material described in Paragraph 3 of the Court's Order for Pretrial
9 Preparation on August 24;

10 WHEREAS, the September 12, 2007 Order Granting the Joint Motion to Reschedule the
11 Pretrial Conference and Pretrial Submissions as Modified extended the deadline for filing certain
12 material described in Paragraph 3 of the Court's Pretrial Preparation Order to noon Pacific time
13 on September 24;

14 WHEREAS, the parties exchanged their deposition designations and exhibit lists on
15 August 24;

16 WHEREAS, Plaintiffs agreed to revise their deposition designations to eliminate
17 testimony that Plaintiffs will not present at trial;

18 WHEREAS, Plaintiffs agreed to provide revised deposition designations on a rolling basis
19 and stated that they would provide Defendants with their revised designations by September 19;

20 WHEREAS, Plaintiffs started providing Defendants with the revisions to the designations
21 of deposition testimony on a rolling basis beginning on September 12 and are still in the process
22 of doing so;

23 WHEREAS, the parties have met and conferred regarding Defendants' concern that
24 Plaintiffs' proposed schedule does not leave adequate time for Defendants to review Plaintiffs'
25 revised deposition designations and prepare objections and counter-designations to Plaintiffs'
26 revised designations;

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1 WHEREAS, the parties reserve all rights, including the right to challenge the adequacy of
2 any designation, and agree to a brief extension of the September 24 deadline for filing deposition
3 designations and any objections and counter-designations thereto;

4 WHEREAS, the parties further have met and conferred regarding the need for an
5 extension of time to resolve objections to the parties' respective exhibit lists due to the volume of
6 material at issue and defense counsels' pre-existing travel commitments;

7 WHEREAS, the parties reserve all rights, including the right to challenge any exhibit, and
8 agree to a brief extension of the September 24 deadline for filing exhibit lists and any objections
9 thereto.

10 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
11 record, that:

- 12 1. The date for filing deposition designations and the parties' objections and counter-
13 designations thereto shall be extended from noon on September 24 to noon on
14 September 28.
- 15 2. The date for filing exhibit lists and the parties' objections thereto shall be extended
16 from noon on September 24 to noon on September 26.

17 Dated: September 20, 2007

MORRISON & FOERSTER LLP

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20 By: /s/ Philip T. Besirof
Philip T. Besirof

21 Attorneys for Defendants
22 JDS Uniphase Corporation, Jozef
23 Straus, Anthony R. Muller, and Charles
24 J. Abbe
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1 Dated: September 20, 2007

HELLER EHRMAN LLP

2
3 By: /s/ Howard S. Caro
4 Howard S. Caro

5 Attorneys for Defendant
6 Kevin Kalkhoven

7 Dated: September 20, 2007

LABATON SUCHAROW & RUDOFF LLP

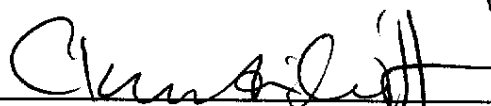
8 BERMAN DEVALERIO PEASE TABACCO
9 BURT & PUCILLO

10 By: /s/ Anthony J. Harwood
11 Anthony J. Harwood

12 Liaison Counsel for Lead Plaintiff
13 Connecticut Retirement Plans and Trust
Funds

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

15 *except that*
16 *non deadlines are extended only to*
17 *non 9/26*
Dated: September 24 2007

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HONORABLE CLAUDIA WILKEN
United States District Court Judge